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Date: July 9, 2002

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To: Examiner Gail Gabel
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Fax Number: 703-308-4242
Contact Number: or 703-305-3014
703-305-0807

From: Frances B. Cutajar, Sr. Legal Assistant

Reference No.: 1103326-0571

Re: USSN 09/341,196, filed July 6, 1999; Inventors: Desousa, et al.

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Examiner Gabel:

Further to your telephone request this afternoon, attached are copies of the following papers filed via facsimile in response to the Final Office Action mailed November 7, 2001:

- The Amendment and Response filed via facsimile on May 2, 2002 and the USPTO auto-reply facsimile transmission confirming receipt on May 2, 2002. We also attach a copy of our facsimile log confirming successful transmission;
- The Notice of Appeal filed via facsimile on May 7, 2002 and the USPTO auto-reply facsimile transmission confirming receipt on May 7, 2002. We also attach a copy of our facsimile log confirming successful transmission.

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1103326-0571

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desousa, et al.
 Serial No. : 09/341,196 Examiner: G. Gabel
 Filed : July 6, 1999 Group Art Unit: 1641
 For : SCINTILLATION PROXIMITY ASSAY FOR THE
 DETECTION OF PEPTIDOGLYCAN SYNTHESIS

I hereby certify that this paper is being
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 20231, on May 2, 2002.

Richard J. Sterner
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Richard J. Sterner
 Signature

35,372
 PTO Reg. No.
May 2, 2002
 Date of Signature

ATTENTION: Examiner G. Gabel

ART UNIT: 1641

NUMBER OF PAGES: 16

FACSIMILE NUMBER: 703-872-9307

AFTER FINAL

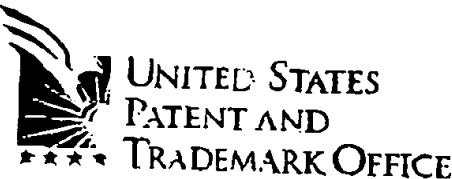
The Assistant Commissioner for Patents
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AMENDMENT AND RESPONSE

Sir:

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1103326-0571			
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE			
Applicant :	Desousa, et al.		
Serial No. :	09/341,196	Examiner: G. Gabel	
Filed :	July 6, 1999	Group Art Unit: 1641	
For :	SCINTILLATION PROXIMITY ASSAY FOR THE DETECTION OF PEPTIDOGLYCAN SYNTHESIS		
<p>I hereby certify that this paper is being facsimile transmitted to The U.S. Patent and Trademark Office, Washington, D.C. 30331, on May 7, 2002.</p> <p style="text-align: right;"> <u>Richard J. Sturmer</u> 35-372 <u>Richard J. Sturmer</u> PTO Req. No. <u>Richard J. Sturmer</u> May 7, 2002 <u>Richard J. Sturmer</u> Date of Signature </p>			
<p>ATTENTION: Examiner G. Gabel ART UNIT: 1641 NUMBER OF PAGES: 2 FACSIMILE NUMBER: 703-672-8307</p> <p>AFTER FINAL The Assistant Commissioner for Patents Washington, D.C. 20231</p> <p><u>NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</u></p> <p>Sir:</p> <p>Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision dated November 7, 2001 of the Primary Examiner finally rejecting claims 3-9. The Assistant</p>			
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